



Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 1647

Attorney Docket No. STK-1 DIV-3

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

TECH CENTER 1600/2900

APR 18 2002

RECEIVED

In re application of: John C. Lee and Lee-Chuan C. Yeh
Application No. : 09/287,500
Confirmation No. : 6377
Filed : April 7, 1999
For : COMPOSITIONS AND THERAPEUTIC METHODS
USING MORPHOGENIC PROTEINS AND
STIMULATORY FACTORS
Group Art Unit : 1647
Examiner : David Romeo

Hon. Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL

Sir:

Applicant(s) hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed October 9, 2001 in which the rejection of claims 69-71, 74-80, 83-87, 90, 91, and 102-105 was made final.

- [] Applicant(s) respectfully requests an oral hearing before the Board of Appeals. The appropriate fee is submitted herewith.
- [X] The appropriate fee for a three - month extension of time to respond to the final rejection was timely paid on April 9, 2002.
- [] An additional _____-month extension of time to respond to the final rejection is requested and the appropriate extension fee is submitted herewith.

☒ Address all correspondence to:

James F. Haley, Jr.
(Registration No. 27,794)
Attorney for applicants
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

☒ A check in the amount of ☒ \$320.00 ☐ \$600.00 in payment of the ☒ appeal fee, ☐ appeal and oral hearing fees, is enclosed.

☒ The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

☐ Please charge ☐ \$320.00 ☐ \$600.00 to Deposit Account No. 06-1075 in payment of the ☐ appeal fee; ☐ appeal and oral hearing fees. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

☒ The following extension fee is applicable to the Notice of Appeal filed herewith; ☒ \$920.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a).

☒ A check in the amount of ☒ \$920.00 in payment of the extension fee is transmitted herewith.

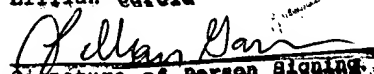
☒ The Director is hereby authorized to charge payment of any additional fee required under 37 C.F.R. § 1.17, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

☐ Please charge the ☐ \$110.00; ☐ \$400.00; ☐ \$920.00; ☐ \$1,440.00; ☐ \$1,960.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.



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I Hereby Certify that this
Correspondence is being
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PATENTS P.O. Box 2327
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Apr. 19, 2002
Lillian Garcia

Signature of Person Signing